

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
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4 ELISEO NAPOLES, MARIA NAPOLES
5 AND M.N., A MINOR, BY AND
6 THROUGH HIS GUARDIAN AD LITEM,

7 Plaintiffs,

8 vs.

9 CLARK COUNTY SCHOOL DISTRICT,
10 DOES I through X, inclusive; ROE
11 CORPORATIONS I through X, inclusive

12 Defendant.

CASE NO: 2:19-cv-01474-APG-BNW

13 **ORDER GRANTING PLAINTIFFS'**
14 **VERIFIED PETITION FOR**
15 **COMPROMISE OF MINOR'S CLAIM**

[ECF No. 50]

16 Plaintiffs Eliseo and Maria Napoles (collectively, Petitioners) are the parents and
17 Guardians Ad Litem of plaintiff M.N. (born in 2005¹), who is an unemancipated minor and real
18 party in interest in this case. The Petitioners filed a Verified Petition for Compromise of M.N.'s
19 claim. No opposition has been filed, and the petition is supported by good cause.

20 I THEREFORE ORDER AS FOLLOWS:

21 A. The petition to compromise M.N.'s claim (**ECF No. 50**) is **GRANTED**.

22 B. Defendant Clark County School District (CCSD) shall pay \$55,000.00 to the
23 Petitioners' counsel's trust account to settle this case.

C. M.N. and the Petitioners retained Trevor J. Hatfield, Esq., of the law firm of Hatfield
& Associates, Ltd. to represent them in this case. Under the retention agreement, the

¹ Certain identifying personal and confidential information has been truncated for the privacy of the MINOR.

1 plaintiffs agreed to pay costs necessarily incurred by counsel and advanced in this
2 litigation, to be remitted to counsel out of any settlement.

3 D. The incurred costs are: Court Filing Fees - \$400.00; Experts Fees - \$13,925.62;
4 Deposition Transcripts and fees - \$5,248.30; Service of Process fees - \$687.12;
5 Medical Records copy fees - \$90.45; and Out of Office Copy Charges - \$172.20. The
6 total of those reimbursable costs is \$20,523.69. These costs will be deducted from
7 the gross settlement of \$55,000.00, leaving a settlement amount of \$34,476.31.

8 E. The plaintiffs' counsel proposes a 20% contingency fee, which is deemed reasonable.
9 That amounts to \$6,895.26. The total of attorney's fees and costs is \$27,418.95,
10 which shall be allocated to counsel. Thus, the plaintiffs' remaining share of the
11 settlement proceeds is \$27,581.05.

12 F. The plaintiffs' share of the settlement proceeds will be allocated so that M.N. will
13 receive 75% of those proceeds, and Eliseo Napoles and Maria Napoles will each
14 receive 12.5% of those proceeds. Thus, M.N. will receive \$20,685.78, and Eliseo
15 Napoles and Maria Napoles will each receive a \$3,447.63).

16 G. M.N.'s funds will be placed in a blocked bank account of the Petitioners' choosing,
17 located in Clark County, Nevada, until M.N. reaches the age of 18. The funds will be
18 released only by further order of the court. The order to release the funds may be
19 made only upon application to the court. A final accounting and verification that the
20 minor has reached the age of 18 will be required.

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1 H. The blocked account will be established within 30 days of payment by CCSD, and
2 proof of establishing the account shall be filed within 60 days of this order.

3 DATED THIS 26th day of January, 2022.

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UNITED STATES DISTRICT JUDGE
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